

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMCAST OF MASSACHUSETTS/NEW
HAMPSHIRE/OHIO, INC.,
Plaintiff

V.

MAUREEN McDONOUGH and
JAMES McDONOUGH,
Defendants

CIVIL ACTION
NO. 04-11242-REK

Procedural Order

June 7, 2005

Currently pending for decision is a matter related to Plaintiff's Motion to Extend Time to Move for Default Judgment (Docket No. 9, filed February 15, 2005).

In this case the plaintiff has alleged that the defendants illegally intercepted cable television signals. The defendants have not responded to the complaint and no one has entered an appearance on their behalf. The Clerk entered a default on January 13, 2005. (Docket No. 7) The same day, I issued my Standing Order Regarding Motions for Default Judgment. (Docket No. 8) In that Order, I directed the moving party to take action upon the default within 30 days or the action could be dismissed for want of prosecution. (*Id.* at ¶ 4)

Three days after the 30-day period ended, the plaintiff requested an additional 30 days to file its motion for a default judgment. (Docket No. 9) In the moving papers and accompanying affidavit, the plaintiff's counsel states that his notes indicated that he may have been contacted by defendants' counsel and wanted to explore settlement possibilities. I conclude

that an additional 30 days in which to file a motion for default judgment is warranted in these circumstances.

Accordingly, it is ORDERED:

The Plaintiff's Motion to Extend Time to Move for Default Judgment (Docket No. 9) is ALLOWED. The plaintiff shall take necessary and appropriate action on the default in accordance with my Standing Order of January 13, 2005, within 30 days from the issuance of this Order, that is, until July 7, 2005. The other provisions of my Standing Order of January 13, 2005, remain in effect.

/s/Robert E. Keeton
Robert E. Keeton
Senior United States District Judge